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Gaines Investment Trust;  
Donald B. Gaines, Co-Trustee of the Gaines Investment Trust;  
and Lizbeth Estrada*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KEVIN ALEXANDER, an individual; and  
ALMA ALEXANDER, an individual,

Plaintiffs,

v.

THE CROIX TOWNHOMES LLC, a Nevada  
limited liability company; GAINES  
INVESTMENT TRUST, a limited liability  
company; DONALD B. GAINES, CO  
TRUSTEE of the GAINES INVESTMENT  
TRUST; PAM GAINES, CO-TRUSTEE of the  
GAINES INVESTMENT TRUST; LIZBETH  
ESTRADA, an individual; DOE INDIVIDUALS  
I through X; and ROE BUSINESS ENTITIES I  
through X, inclusive.

Defendants.

CASE NO.: 2:22-cv-02051-CDS-EJY

**STIPULATION AND ORDER TO  
EXTEND TIME TO FILE FED. R. CIV. P.  
12(b) RESPONSIVE PLEADING**

**(FIRST REQUEST)**

Defendants The Croix Townhomes LLC (“Croix”), Gaines Investment Trust (“The Trust”  
or “Gaines”),<sup>1</sup> Donald B. Gaines, Co-Trustee of the Gaines Investment Trust (“D. Gaines”), and  
Lizbeth Estrada (“Estrada”) (collectively, “Defendants”), by and through the law firm of Holley

<sup>1</sup> The Trust is improperly named directly (as opposed to through its trustee) and is misidentified as a limited liability company. The Trust reserves all rights with respect to these deficiencies. Additionally, Defendant Pam Gaines, sued in her capacity as Co-Trustee of the Gaines Investment Trust, died in December 2019. As such, she is an improperly named defendant in this action and Defendants have filed a suggestion of death as to Pam Gaines accordingly. *See* (ECF No. 6).

Driggs, and Plaintiffs Kevin Alexander and Alma Alexander (together, "Plaintiffs"), by and through the law firm of Alexis Brown Law, Chtd., hereby STIPULATE and agree as follows:

1. The parties agree to extend the deadline for Defendants' to file their responsive pleading by two weeks, to January 23, 2023. This is the parties' first request to extend this deadline, and this stipulation is not meant to cause undue delay. *See* LR-IA 6-1(a).

2. The reason for the extension is to allow Defendants' counsel the time needed to confer with their clients and gather the information required to respond to Plaintiffs' Complaint. Holiday plans and travel impeded counsel's ability to obtain the information necessary to respond to Plaintiffs' Complaint by the current deadline of January 9, 2023. *See* LR-IA 6-1(a).

3. This action was filed in state court on November 9, 2022, and was removed by Defendants exactly 30 days later, on December 9, 2022. *See* (ECF No. 1). Defendants waived service of process under Fed. R. Civ. P. 4(d), which resulted in the current deadline of January 9, 2023, for Defendants to file a responsive pleading under Fed. R. Civ. P. 12.

4. Given that Defendants agreed to waive service and swiftly removed to federal court, good cause exists to grant this two week extension, which will not cause undue delay in this matter.

IT IS SO STIPULATED.

DATED this 4th day of January, 2023.

**HOLLEY DRIGGS**

/s/ Jessica M. Lujan

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*Attorneys for Defendants The Croix  
Townhomes LLC; Gaines Investment Trust;  
Donald B. Gaines, Co-Trustee of the Gaines  
Investment Trust; and Lizbeth Estrada*

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DATED this 4th day of January, 2023.

**ALEXIS BROWN LAW, CHTD.**

/s/ Alexis L. Brown

ALEXIS L. BROWN, ESQ.

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*Attorney for Plaintiffs*

**ORDER**

IT IS SO ORDERED.

  
UNITED STATES MAGISTRATE JUDGE

DATED: January 4, 2023